

10044274197

RECEIVED
FEDERAL ELECTION
COMMISSION
JUN 22 2010

BEFORE THE FEDERAL ELECTION COMMISSION

JUN 22 A 10:20

In the Matter of)
)
MUR 6283) CASE CLOSURE UNDER THE
MANFRED SCHREYER COMMITTEE) ENFORCEMENT PRIORITY SYSTEM
AND JANE E. SCHEYER, AS TREASURER)
MANFRED R. SCHREYER)

SENSITIVE

GENERAL COUNSEL'S REPORT

Under the Enforcement Priority System, matters that are low-rated

are

forwarded to the Commission with a recommendation for dismissal. The Commission has determined that pursuing low-rated matters, compared to other higher-rated matters on the Enforcement docket, warrants the exercise of its prosecutorial discretion to dismiss these cases. The Office of General Counsel scored MUR 6283 as a low-rated matter.

In this matter, the complainant, Gary A. Nasal, alleges that the Manfred Schreyer Committee and Jane E. Schreyer, in her official capacity as treasurer ("the Committee"), as well as candidate Manfred R. Schreyer¹ ("respondents") violated 2 U.S.C. § 441d by including defective disclaimers on a television advertisement distributed by the respondents.

Specifically, the complainant asserts that a Schreyer campaign advertisement which was broadcast at least six times on a local cable television network omitted an "audible, verbal disclaimer" by Mr. Schreyer stating that he had approved the communication, as required by 2 U.S.C. § 441d(d) and 11 C.F.R. § 110.11(c). In addition, the complainant states that the Committee, which registered with the Commission by filing its Statement of Organization on

¹ Mr. Schreyer was a candidate for the Republican nomination for Congress from Ohio's Eighth Congressional District. He was defeated in the primary on May 4, 2010.

CEA

2010 JUN 22 AM 10:10

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FEDERAL ELECTION
COMMISSION

February 3, 2010, subsequently failed to file a 2010 April Quarterly Report. Appended to the complaint, without explanation, is what may be a statement of expenses addressed to Mr. Schreyer from "CrossRoads Media LLC." The document purports to show that Mr. Schreyer spent \$8,949 on "cable television" between "4/20-5/2" (the relevant year is omitted) and may be intended to demonstrate that the campaign had expended more than \$5,000 during the time period, thus potentially triggering "candidate" status for Mr. Schreyer and reporting obligations for the Committee, respectively, pursuant to 2 U.S.C. §§ 431(2) and 434.

Respondents Manfred Schreyer and Jane Schreyer, the Committee's treasurer and the candidate's wife, assert that the television advertisement at issue included Mr. Schreyer's voice promoting his candidacy, and that it was therefore logical to assume that he had approved the advertisement. The response further states that the campaign, a "small, grassroots" operation, put together "home-made" television advertisements that were only thirty seconds long. Although, according to the response, the advertisements included written disclaimers, the respondents maintain that an "approval" statement by Mr. Schreyer would have consumed a relatively large proportion of the available time.

With respect to the Committee's 2010 April Quarterly Report, the response states that the Committee's 2010 Pre-Primary Report was filed with the Commission on May 4, 2010, the date of Mr. Schreyer's primary election, shortly after the campaign had "raised and/or spent" \$5,000.

Based on the complaint and response, it appears that the television advertisement lacked the requisite statement of approval by Mr. Schreyer. In addition, upon reviewing the Committee's 2010 Pre-Primary Report, while the Committee reports raising only \$2,573.00 in

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1 contributions and making \$1,199.07 in expenditures during Mr. Schreyer's campaign, the
2 report discloses that Mr. Schreyer loaned his campaign \$7,606.65 on April 14, 2010 which, in
3 turn, triggered the Committee's reporting requirements.² Thus, the Committee's Pre-Primary
4 Report, which should have been filed twelve days before Ohio's May 4th primary election, or
5 by April 22, 2010, was untimely.

6 Given the low level of activity and the technical nature of the alleged violation and in
7 furtherance of the Commission's priorities and resources, relative to other matters pending on
8 the Enforcement docket, the Office of General Counsel believes that the Commission should
9 exercise its prosecutorial discretion and dismiss this matter. *See Heckler v. Chaney*, 470 U.S.
10 821 (1985). Additionally, this Office intends on reminding Manfred R. Schreyer and the
11 Manfred Schreyer Committee and Jane E. Schreyer, in her official capacity as treasurer, of the
12 Act's requirements concerning the use of appropriate disclaimers on campaign television
13 advertisements and reminding the Committee of the timely filing requirement of financial
14 disclosure reports.

15 **RECOMMENDATIONS**

16 The Office of General Counsel recommends that the Commission dismiss MUR 6283,
17 close the file, and approve the appropriate letters. Additionally, this Office recommends
18 reminding Manfred R. Schreyer and the Manfred Schreyer Committee and Jane E. Schreyer, in

² For purposes of assessing the Committee's filing requirements, we have not utilized the apparent statement of expenses attached to the complaint which, in addition to lacking a complete date, is not necessarily associated with the campaign. In fact, we note that one of the "DMAs" (possibly, "designated media areas") identified on the statement is Cincinnati, Ohio, which is in Ohio's First Congressional District, not the Eighth, which Mr. Schreyer had sought to represent.

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her official capacity as treasurer, of the Act's requirements concerning the use of appropriate
disclaimers on campaign television advertisements and reminding the Committee of the timely
filing requirement of financial disclosure reports.

Thomasenia P. Duncan
General Counsel

Date

9/22/10

BY:

Gregory R. Baker
Special Counsel
Complaints Examination
& Legal Administration

Jeff S. Jordan
Supervisory Attorney
Complaints Examination
& Legal Administration

Ruth Heilizer
Attorney
Complaints Examination
& Legal Administration

Attachment:

2. Manfred Schreyer Committee's 2010 Pre-Primary Report

RECEIVED
FEDERAL MAIL CENTER
2010 MAY 10 AM 11:06

May 4, 2010

BY REGISTERED/CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463

Re: Manfred Schreyer Committee
FEC ID # C00475087

Dear Sir/Madam:

I have enclosed completed FEC Form 3 for period 01-15-2010 through 04-14-2010.

Thank you.



JANE E. SCHREYER
JES/mt
Enclosure

Attachment 2

Page 1

of 11

FEC
FORM 3

REPORT OF RECEIPTS
AND DISBURSEMENTS

For An Authorized Committee

RECEIVED
FEC MAIL CENTER
2010 MAY 10 AM 11:06

Office Use Only

1. NAME OF
COMMITTEE (in full)

TYPE OR PRINT

Example: If typing, type
over the lines.

12FE4M5

MANFRED SCHREYER COMMITTEE

ADDRESS (number and street)

100 WEST MAIN ST



Check if different
than previously
reported. (ACC)

GATON

OH

95320

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00475087

3. IS THIS
REPORT

☒

NEW

IN

OR

AMENDED

(A)

OH

09

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:



April 15 Quarterly Report (Q1)



July 15 Quarterly Report (Q2)



October 15 Quarterly Report (Q3)



January 31 Year-End Report (YE)



Termination Report (TER)

(b) 12-Day PRE-Election Report for the:



Primary (12P)



General (12G)



Runoff (12R)



Convention (12C)



Special (12S)

Election on

05/04/2010

In the
State of

OH

(c) 30-Day POST-Election Report for the:



General (30G)



Runoff (30R)



Special (30S)

Election on

05/04/2010

In the
State of

OH

5. Covering Period

07/15/2010

through

07/15/2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

JANE E. SCHREYER

Signature of Treasurer

Jane Schreyer

Date

05/03/2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office
Use
Only

FEC FORM 3
(Revised 05/2009)

Attachment

Page

2

of

11

PER-000

10044274203
10030324124

SUMMARY PAGE
of Receipts and Disbursements

FEC Form 3 (Revised 08/2008)

Page 2

Write or Type Committee Name

MAINFRED SURVEYOR COMMITTEE

Report Covering the Period:

From:

01/15/2010

To:

07/17/2010

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(a))	2573.00	
(b) Total Contribution Refunds (from Line 20(a))	0	
(c) Net Contributions (other than loans) (subtract Line 8(b) from Line 6(a))	2573.00	
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	1199.07	
(b) Total Offsets to Operating Expenditures (from Line 14)	0	
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a))	1199.07	
8. Cash on Hand at Close of Reporting Period (from Line 27)	898.05	
9. Debts and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D)	0	
10. Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D)	7606.65	

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

Attachment

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of 11

10044274204
10030324125

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3 (Revised 12/2003)

Page 3

Write or Type Committee Name

MARCO SCHAEFER COMMITTEE

Report Covering the Period

From

01/15/2010

To

04/14/2010

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (see Schedule A).....	250.00	
(ii) Unitemized.....	1923.00	
(iii) TOTAL of contributions from individuals.....	2073.00	
(b) Political Party Committees.....		
(c) Other Political Committees (such as PACs).....	500.00	
(d) The Candidate.....	0	
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(i), (ii), (c), and (d)).....	2573.00	
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....	0	
13. LOANS:		
(a) Made or Guaranteed by the Candidate.....	7606.65	
(b) All Other Loans.....	0	
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	7606.65	
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....	0	
15. OTHER RECEIPTS (Dividends, Interest, etc.).....	0	
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4).....	10179.65	

FEB 10 2010

Attachment

Page

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10044274205
10050324126

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3 (Revised 03/2003)

Page 4

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	1199.07	
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0	
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0	
(b) Of All Other Loans.....	0	
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0	
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0	
(b) Political Party Committees.....	0	
(c) Other Political Committees (such as PACs).....	0	
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0	
21. OTHER DISBURSEMENTS.....	0	
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	1199.07	

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	0
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	10179.65
25. SUBTOTAL (add Line 23 and Line 24).....	10179.65
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	1199.07
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	8980.58

F2340010

Attachment

Page

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of 11

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:		PAGE	OF
<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14
<input type="checkbox"/> 15	<input type="checkbox"/> 16	<input type="checkbox"/> 17	<input type="checkbox"/> 18

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

MANFRED SCHROYER COMMITTEE

Full Name (Last, First, Middle Initial)

WARNER, LARRY L.

Mailing Address

116 EDGEMOOD DR.

City

DAYTON

State

OH

Zip Code

45320

FEC ID number of contributing
federal political committee.

C

Name of Employer

N/A

Occupation

RETIRED

Receipt For:

☒ Primary ☐ General
☐ Other (specify)

Section Cycle-to-Date

250.00

Date of Receipt

03/15/2010

Amount of Each Receipt this Period

250.00

Full Name (Last, First, Middle Initial)

IRONWORKERS LOCAL 290

Mailing Address

606 HILLROSE AVE.

City

DAYTON

State

OH

Zip Code

45404

FEC ID number of contributing
federal political committee.

C

Name of Employer

N/A

Occupation

N/A

Receipt For:

☒ Primary ☐ General
☐ Other (specify)

Section Cycle-to-Date

500.00

Date of Receipt

03/16/2010

Amount of Each Receipt this Period

500.00

Full Name (Last, First, Middle Initial)

C.

Mailing Address

City

State

Zip Code

FEC ID number of contributing
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General
☐ Other (specify)

Section Cycle-to-Date

Date of Receipt

03/16/2010

Amount of Each Receipt this Period

750.00

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

FEC Schedule A (Form 3) (Revised 08/2008)

Attachment
Page 6 of 11

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10030324127

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:		PAGE	OF
<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14
			<input type="checkbox"/> 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

MANFRED SCHREYER COMMITTEE

Full Name (Last, First, Middle Initial)

SCHREYER, MANFRED R.

Mailing Address

123 E. MAIN ST.

City

EATON

State

OH

Zip Code

45320

FEC ID number of contributing
federal political committee.

C

Name of Employer

SELF

Occupation

BUSINESS OWNER

Receipt For:

☒ Primary

☐ General

☐ Other (specify)

Election Cycle-to-Date

760665

Date of Receipt

04 / 24 / 2010

Amount of Each Receipt this Period

760665

Full Name (Last, First, Middle Initial)

Mailing Address

City

State

Zip Code

FEC ID number of contributing
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary

☐ General

☐ Other (specify)

Election Cycle-to-Date

Date of Receipt

04 / 24 / 2010

Amount of Each Receipt this Period

Full Name (Last, First, Middle Initial)

Mailing Address

City

State

Zip Code

FEC ID number of contributing
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary

☐ General

☐ Other (specify)

Election Cycle-to-Date

Date of Receipt

04 / 24 / 2010

Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

760665
835665

10044274207
10030324128

**SCHEDULE B (FEC Form 3)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE **OF**

☐ 17 ☐ 18 ☐ 19a ☐ 19b
200 200 200 21

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

MARSHED SCHREYER COMMITTEE

Full Name (Last, First, Middle Initial)

A. KEE PRINTING, INC.

Mailing Address
113 W. MONFORT ST.

City **EDIN** State **OH** Zip Code **45320**

Purpose of Disbursement
COPIES BROCHURES

Candidate Name

004
Category/
Type

Office Sought: ☒ House ☐ Senate ☐ President
Disbursement For: ☒ Primary ☐ General ☐ Other (specify)

State: **OH** District: **8**

Date of Disbursement

09/02/2010

Amount of Each Disbursement This Period

333.84

Full Name (Last, First, Middle Initial)

B. SAME AS ABOVE

Mailing Address

City State Zip Code

Purpose of Disbursement

Candidate Name

004
Category/
Type

Office Sought: ☐ House ☐ Senate ☐ President
Disbursement For: ☐ Primary ☐ General ☐ Other (specify)

State: District:

Date of Disbursement

03/24/2010

Amount of Each Disbursement This Period

1348.2

Full Name (Last, First, Middle Initial)

C. SAME AS ABOVE

Mailing Address

City State Zip Code

Purpose of Disbursement

Candidate Name

004
Category/
Type

Office Sought: ☐ House ☐ Senate ☐ President
Disbursement For: ☐ Primary ☐ General ☐ Other (specify)

State: District:

Date of Disbursement

03/17/2010

Amount of Each Disbursement This Period

397.41

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (last page this line number only)

866.27

10044274208

10030324129

**SCHEDULE B (FEC Form 3)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE OF

17 18 19a 19b
20a 20b 21

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

MANFRED SCHREYER COMMITTEE

Full Name (Last, First, Middle Initial)

A. MANFRED SCHREYER

Mailing Address
123 E. MAIN ST.

City **CHICAGO** State **IL** Zip Code **60601**

Purpose of Disbursement
LIBRARY DINNER TICKETS

Candidate Name

0.07

Category/
Type

Office Sought: ☒ House
☐ Senate
☐ President

Disbursement For: ☒ Primary ☐ General
☐ Other (specify)

State **IL** District **7**
Full Name (Last, First, Middle Initial)

Date of Disbursement

05/12/2010

Amount of Each Disbursement This Period

320.00

B.

Mailing Address

City State Zip Code

Purpose of Disbursement

Candidate Name

Category/
Type

Office Sought: ☐ House
☐ Senate
☐ President

Disbursement For: ☐ Primary ☐ General
☐ Other (specify)

State District
Full Name (Last, First, Middle Initial)

Date of Disbursement

Amount of Each Disbursement This Period

C.

Mailing Address

City State Zip Code

Purpose of Disbursement

Candidate Name

Category/
Type

Office Sought: ☐ House
☐ Senate
☐ President

Disbursement For: ☐ Primary ☐ General
☐ Other (specify)

State District

Date of Disbursement

Amount of Each Disbursement This Period

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (last page this line number only)

118607

FORM 3

Attachment

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10030324130

SCHEDULE C (FEC Form 3)
LOANS

Use separate schedule(s)
for each category of the
Detailed Summary Page

PAGE OF
FOR LINE NUMBER:
(check only one) ☐ 12a
☐ 12b

NAME OF COMMITTEE (In Full)

MANFRED SCHREYER COMMITTEE

LOAN SOURCE Full Name (Last, First, Middle Initial)

SCHREYER MANFRED R.

Electors

☒ Primary

☐ General

☐ Other (specify) _____

Mailing Address

123 E. MAIN ST.

City

EATON

State

OH

ZIP Code

45320

Original Amount of Loan

760665

Cumulative Payment To Date

0

Balance Outstanding at Close of This Period

760665

TERMS

Date Incurred

10/3/79

Date Due

2/28/80

Interest Rate

7% (apr)

Secured:

☐ Yes ☒ No

List All Endorsers or Guarantors (if any) to Loan Source

1. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

2. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

3. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

4. Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

SUBTOTALS This Period This Page (optional)

760665

TOTALS This Period (last page in this line only)

760665

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

FE-3000

Attachment

Page


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of

14

10044274210
10030324131

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked
<input checked="" type="checkbox"/> USPS Registered/Certified	Postmarked (R/C) 5/4/10
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/>	
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
	Next Business Day Delivery <input type="checkbox"/>
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
 PREPARER (3/2005)	5/10/10 DATE PREPARED

Attachment

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10030324132